

Council Variance Application

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: CV15-032 Date Received: 5/5/15
Application Accepted by: ET+TP Fee: 60
Comments: Assigned to Tim Proehl, 645-2749, tproehl@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 1597 LINDEN BLVD Zip: _____

Is this application being annexed into the City of Columbus? Select one: ☐ YES ☒ NO

If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 010-040320 / 010-040319

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): AEO

Area Commission or Civic Association: SOUTH LINDEN BLOCK COMMISSION

Proposed Use or reason for Council Variance request:

CREATE A BACKLASH LOT

Acreage: .24

APPLICANT:

Name: CITY OF COLUMBUS - LAND BANK Phone Number: 645-LAND Ext.: _____

Address: 50 W. GAY ST. City/State: COLUMBUS Zip: 43215

Email Address: _____ Fax Number: _____

PROPERTY OWNER(S) ☐ Check here if listing additional property owners on a separate page

Name: CITY OF COLUMBUS LAND BANK Phone Number: 645-LAND Ext.: _____

Address: 50 WEST GAY ST. City/State: COLUMBUS Zip: 43215

Email Address: _____ Fax Number: _____

ATTORNEY / AGENT (Check one if applicable): ☐ Attorney ☒ Agent

Name: DANAY POPP Phone Number: 216-279-73 Ext.: _____

Address: 955 E. LOACH RD. City/State: COLUMBUS, OH Zip: 43224

Email Address: DDP@BZS.COH Fax Number: 216-279-63

SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE _____

PROPERTY OWNER SIGNATURE _____

ATTORNEY / AGENT SIGNATURE _____

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make checks payable to the Columbus City Treasurer

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

AFFIDAVIT (See instruction sheet)

Application Number: CMS-032

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME DANNY POPP

of (1) MAILING ADDRESS 855 EAST COOKE ROAD COLUMBUS, OHIO 43224

deposes and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY 1597 & 1601 CLEVELAND AVENUE COLUMBUS, OHIO 43211

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 5/5/15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4)

LOWE'S - CLEVELAND AVE.
50 W. CLEVELAND ST.
COLUMBUS OH

APPLICANT'S NAME AND PHONE #
(same as listed on front application)

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR
OR CONTACT PERSON AND ADDRESS

(5)

SOUTH LINDEN AREA COMMISSION
GEORGE WALKER

and that the attached document (6) is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property (7)

☒ (7) Check here if listing additional property owners on a separate page.

(8) SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 5 day of May, in the year 2015

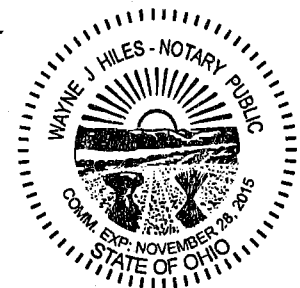
(8) SIGNATURE OF NOTARY PUBLIC

11/28/2015
My Commission Expires

Notary Seal Here

This Affidavit expires six (6) months after the date of notarization.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make checks payable to the Columbus City Treasurer



H&D REALTY OF COLUMBUS LLC
1799 W 5TH AVE
COLUMBUS OH 43212

ANNIE R HOWARD
2708 PRIMROSE TRAIL
COLUMBUS OH. 43231

BUCKEYE IV HOMEBUILDERS
812 BLUFF VIEW DR.
COLUMBUS OH. 43235

VLORA MCAFEE
1431 MILLERDALE RD.
COLUMBUS OH. 43209

KABY REAL ESTATE
4384 CLEVELAND AVE.
COLUMBUS OH. 43224

CHESTER R CORBITT
DICKIE N CORBITT
1598 CLEVELAND AVE
COLUMBUS OH. 43211

RICHARD M CHABANNES
1604 CLEVELAND AVE.
COLUMBUS OH. 43211

CITY OF COLUMBUS
RE: 1630 CLEVELAND AVE.
REAL ESTATE MANAGEMENT
90 W. BROAD ST. RM 425
COLUMBUS OH. 43215

KABY REAL ESTATE LLC
1580 CLEVELAND AVE.
COLUMBUS OH. 43211

NADA HARB
SAID M HAMED
1609 CLEVELAND AVE.
COLUMBUS OH. 43211

CITY OF COLUMBUS
RE: 1601 CLEVELAND AVE.
LAND BANK
50 W GAY ST 4TH FLOOR
COLUMBUS OH. 43215

CITY OF COLUMBUS
RE: 1597 CLEVELAND AVE.
LAND BANK
50 W GAY ST 4TH FLOOR
COLUMBUS OH. 43215

BUCKEYE IV HOME BUILDERS LTD
RE: 1589-591N CLEVELAND AVE.
MAIL: BUCKEYE HOMEBUILDERS
5839 ROTHESAY CT.
DUBLIN OH. 43017

H&D REALTY OF COLUMBUS LLC
1799 W 5TH AVE
COLUMBUS OH. 43212

STEPHEN TORVIK
PO BOX 14312
COLUMBUS OH 43214

REINHARDT KOENIG & SPIELMAN
947 E JOHNSTOWN RD.
COLUMBUS OH. 43230

RE: 1583-1585 N CLEVELAND AVE
KHADIJA BASHIR-MUHAMMAD
1728 LATTIMER DR.
COLUMBUS OH. 43227

RE: 1088-1090 E FOURTEENTH AVE.
WELLS FARGO REAL ESTATE
MAC X2302-04D
1 HOME CAMPUS
DES MOINES IA 50328
RE: 1099-1101 E FIFTEENTH AVE

RE: 1084 E FOURTEENTH AVE
BUCKEYE IV HOMEBUILDERS LTD
812 BLUFF VIEW DR.
COLUMBUS OH. 43235

RE: 1095 E FIFTEENTH AVE

RE: 1103 E FIFTEENTH AVE.

Council Variance Application

CM5-032

DEPARTMENT OF BUILDING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code

Section 3307.10 Variances by City Council

A. Permit a variance in the yard, height, or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.

B. Permit a use of the property not permitted by the Zoning District established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if Council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the Comprehensive Plan.

Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

In granting a variance pursuant to this section, Council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as Council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners and will comply with the variance requested as detailed below:

THE LACK OF PARKING IN THE AREA CREATES A HARDSHIP FOR THE ADJACENT BUSINESS OWNER WHO WISHES TO PURCHASE THIS SITE TO PROVIDE OFF STREET PARKING. ON STREET PARKING IS FURTHER DIMINISHED DUE TO PARKING TIME LIMITS SET BY THE CITY'S TRAFFIC DEPARTMENT.

Signature of Applicant



Date

5/5/15

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make checks payable to the Columbus City Treasurer

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # CV15-032

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) DANNY POPP
of (COMPLETE ADDRESS) 955 E. GORHAM RD. COLUMBUS, OH 43224
deposes and states that (he/she) is the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

1. <u>HARD HARB</u> <u>1609 CLEVELAND AVE.</u> <u>COLUMBUS, OH 43211</u>	2. <u>SKID A. HUBER</u> <u>1609 CLEVELAND AVE.</u> <u>COLUMBUS, OH 43211</u>
3.	4.

☐ Check here if listing additional property owners on a separate page.

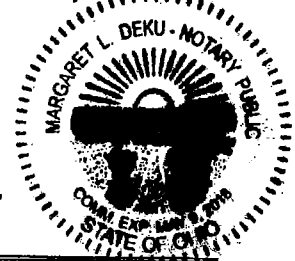
SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 7 day of MAY, in the year 2015

Margaret L. Dehn
SIGNATURE OF NOTARY PUBLIC

MAY 8, 2018
My Commission Expires

Notary Seal Here

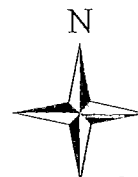


This Project Disclosure expires six (6) months after the date of notarization.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make checks payable to the Columbus City Treasurer



City of Columbus Zoning Plat



CN5-032

ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel ID: 010048319, 010048320

Zoning Number: 1597

Street Name: CLEVELAND AVE

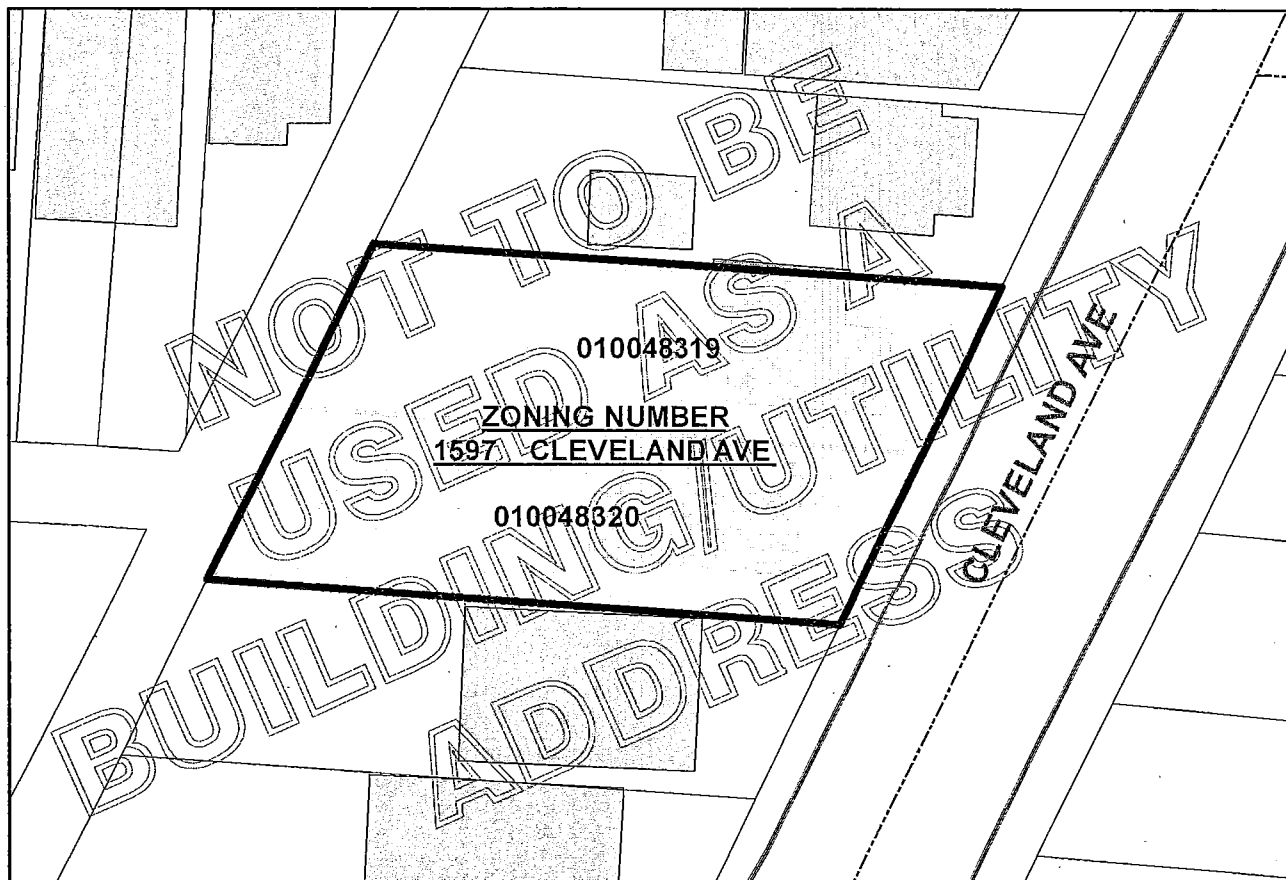
Lot Number :7-8

Subdivision: DREXEL PARK

Requested By: DDP & ASSOCIATE (DANNY POPP)

Issued By: *Danny Popp*

Date: 5/8/2015



SCALE: 1 inch = 40 feet

JAMES D. YOUNG, P.E., ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

GIS FILE NUMBER: 33716



CN5 032

WARRANTY DEED

200906250092465
 Pgs: 1 \$28.00 T200906250092465
 06/25/2009 3:26PM MLCANCO TITLE
 Robert G. Montgomery
 Franklin County Recorder

KNOW ALL MEN BY THESE PRESENTS:

That Advantage Bank, for valuable consideration paid, grants, with general warranty covenants, to City of Columbus, Ohio, whose tax mailing address is

MORTGAGE CODE 9006 the following real property:

Situated in the City of Columbus, County of Franklin, and State of Ohio, and more particularly described as follows:

Being Lot Number Seven (7) of Drexel Park, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 9, Page 11, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-048319-00

Property Address: 1601 Cleveland Ave., Columbus, OH 43213

Prior Instrument Reference: Instrument No. 200807150108422

Executed by my hand this 19 day of June, 2009.

BY: James E. Huston
 Advantage Bank
 James E. Huston
 President/CEO

STATE OF OHIO)
) SS.
 COUNTY OF Guernsey)

Before me, a Notary Public in and for said County and State, personally appeared the above named Advantage Bank by James E. Huston, its President/CEO who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

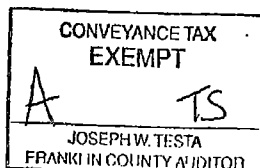
IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Cambridge, Ohio, this 19th day of June, 2009.

Sharon K. Chorey



SHARON K. CHOREY
 Notary Public, State of Ohio
 My Commission Expires 04-20-2013

This instrument prepared by:
 Mark S. Miller, Attorney at Law
 132 1/2 E. Court Street, Washington CH, Ohio 43160



TRANSFERRED

JUN 25 2009

JOSEPH W. TESTA
 AUDITOR
 FRANKLIN COUNTY, OHIO

EXHIBIT 'A'

1599090

LEGAL DESCRIPTION

Situated in the City of Columbus, County of Franklin, State of Ohio, and is described as follows:

Being Lot Number Eight (8), of Drexel Park Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 9, Page 11, Recorder's Office, Franklin County, Ohio.

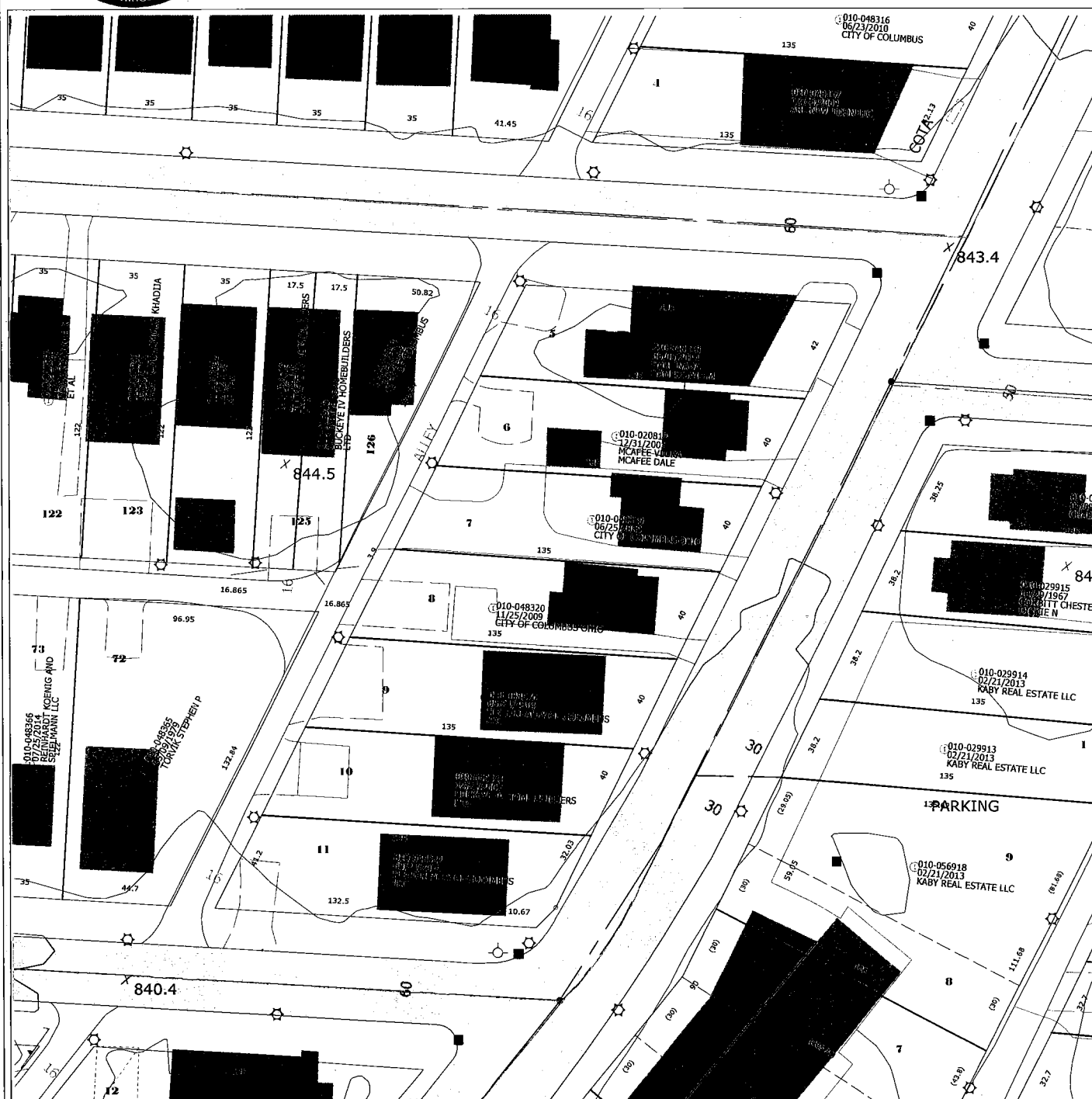
For informational Purposes only:

Property Address: 1597 Cleveland Avenue Columbus, Ohio 43211

Parcel No.:010-048320-00

MAP ID: S

DATE: 4/29/15



Scale = 60



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

CH5-032

SEAL

DEPT. OF PUBLIC SAFETY

STATE OF OHIO

REGISTERED

DDP and ASSOCIATES

1597 E. CLEVELAND AVE. #100 COLUMBUS, OHIO 43211

PHONE: (614) 263-9070 FAX: (614) 263-9098

MOSE'S SITE #1
1597 E. CLEVELAND AVE. #100 COLUMBUS, OHIO 43211

PROJECT: 06/09/2009

REVISION:

CONTRACTOR: MOSE'S SITE #1

DESIGNER: MOSE'S SITE #1

DATE: 06/09/2009

PROJECT: 15-042

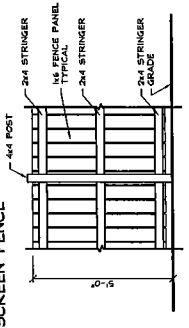
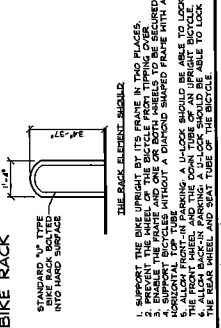
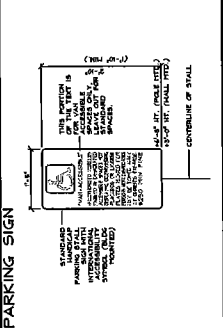
AS1

SITE PLAN

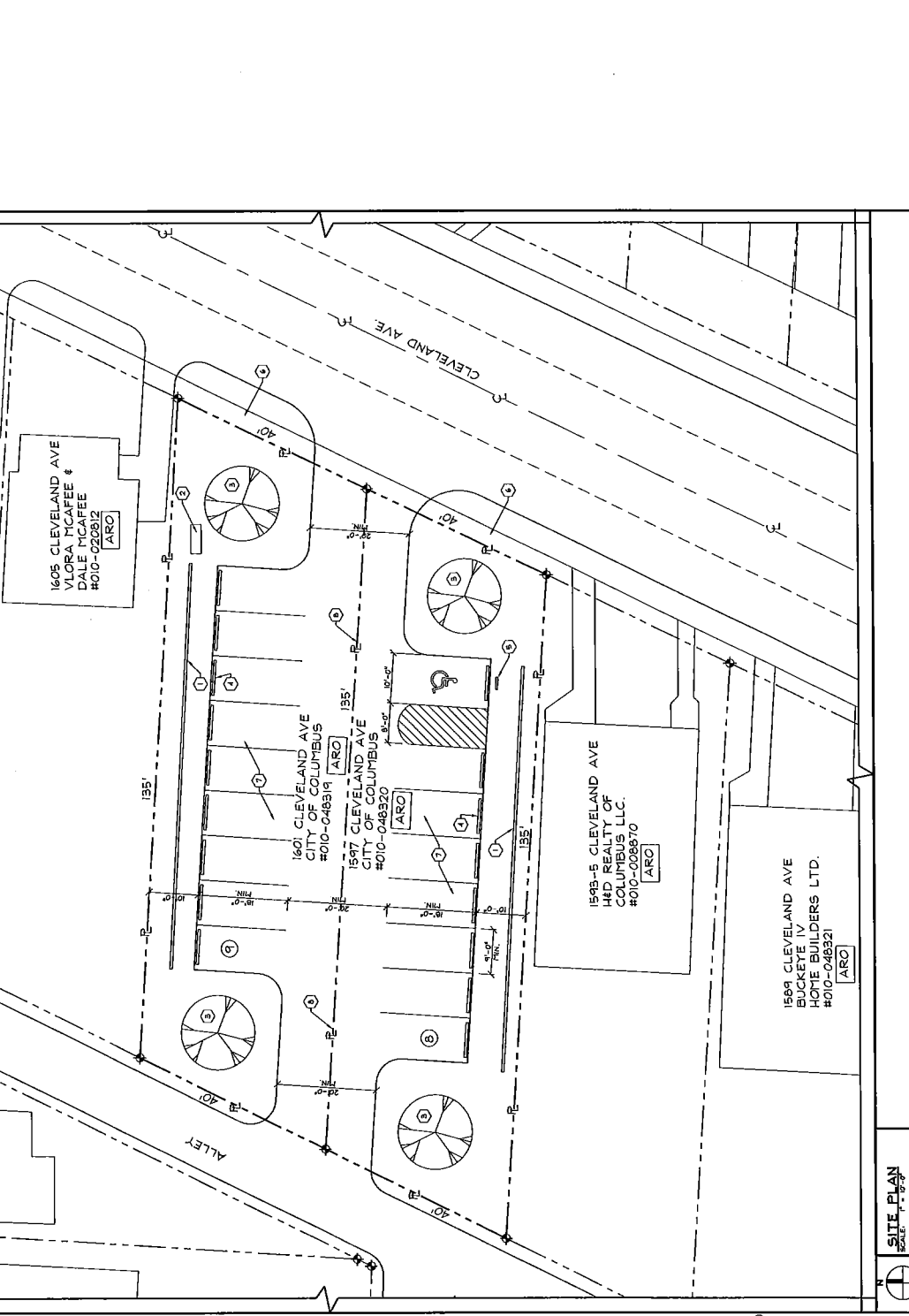
SHEET TITLE:

SITE STATISTICS
1597 CLEVELAND AVE. # 010-048320 (VACANT EXISTING)
TOTAL ACRES: 124 (5,400 SF)
(2,947 SF ASPHALT)
(2,453 SF GREEN SPACE)
ZONING CLASSIFICATION AND PARKING SPACES PROVIDED INCLUDING 1-VAN ACCESSIBLE ADA SPACE:
1601 CLEVELAND AVE. # 010-048319 (VACANT EXISTING)
TOTAL ACRES: 124 (5,400 SF)
(2,947 SF ASPHALT)
(2,453 SF GREEN SPACE)
ZONING CLASSIFICATION AND PARKING SPACES PROVIDED:
9 PARKING SPACES PROVIDED.

FOR THE DIVISION OF POWER AND WATER (POWER)
THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE ELECTRICAL SYSTEM IN THE PROJECT AREA. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN ALL NECESSARY PERMITS FROM THE DIVISION OF POWER AND WATER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE ELECTRICAL SYSTEM IN THE PROJECT AREA. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN ALL NECESSARY PERMITS FROM THE DIVISION OF POWER AND WATER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE ELECTRICAL SYSTEM IN THE PROJECT AREA. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN ALL NECESSARY PERMITS FROM THE DIVISION OF POWER AND WATER.



- CODED NOTES:**
- SCREENING PROVIDED BY FENCING AND/OR LANDSCAPING AT BOTH SIDES OF THE PROJECT AREA.
 - "V" TYPE BIKE RACK. SEE DETAIL THIS SHEET.
 - NEA TREE WITH 1 3/4" CALIPER.
 - PARKING BLOCK. SEE DETAIL THIS SHEET.
 - POLE MOUNTED ADA PARKING SIGN. SEE DETAIL THIS SHEET.
 - EXISTING SIDEWALK & STREET.
 - NEA ASPHALT PARKING LOT.
 - LOTS CAN BE CONSOLIDATED IF REQUIRED.





South Linden Area Commission

410 Cleveland Ave., Suite 1 • P.O. Box 11593 • Columbus, Ohio 43211
www.greaterlinden.org/comm_slac.html

Phone: (614) 294-9600

Fax: (614) 294-9601



April 30, 2015

Nada, Said
Mose's Market
1609 15th Ave.
Columbus, OH 43211

Dear Sirs

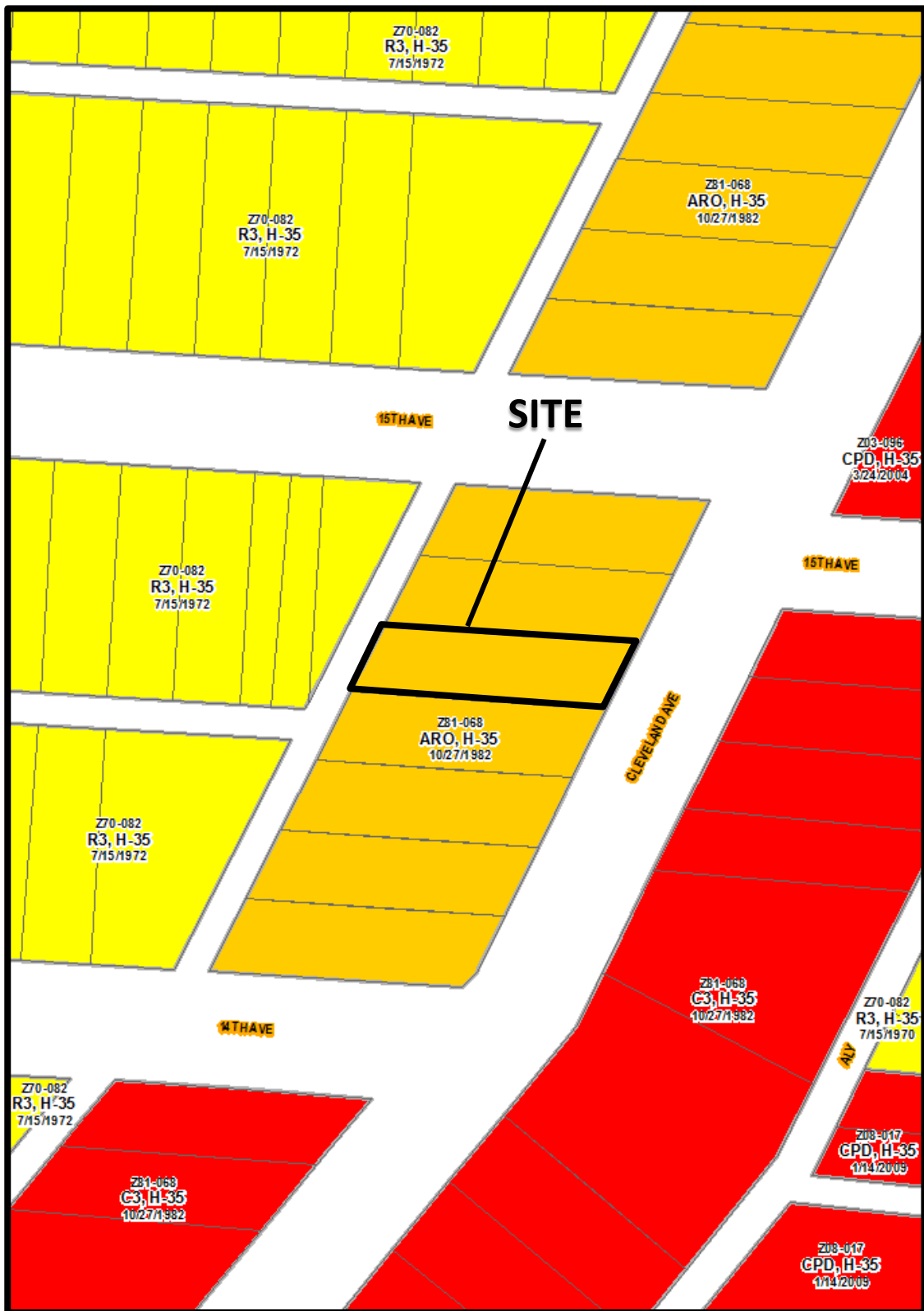
Per your request of the South Linden Area Commission we are providing you with a support letter for parcel numbers 010-048320 010-048319 010-048316 to become parking fro your business customers. Provided you receive all the necessary permits and approval from the City of Columbus.

The South Linden Area commission believes in economic development is a vital to our community and we commend Mose's Market for supporting the community.

If there is anything else that you may need further assistance with please don't hesitate to contact us.

Sincerely

George M. Walker
South Linden Area Commission Chair



CV15-032
1597 Cleveland Avenue
Approximately 0.24 acres

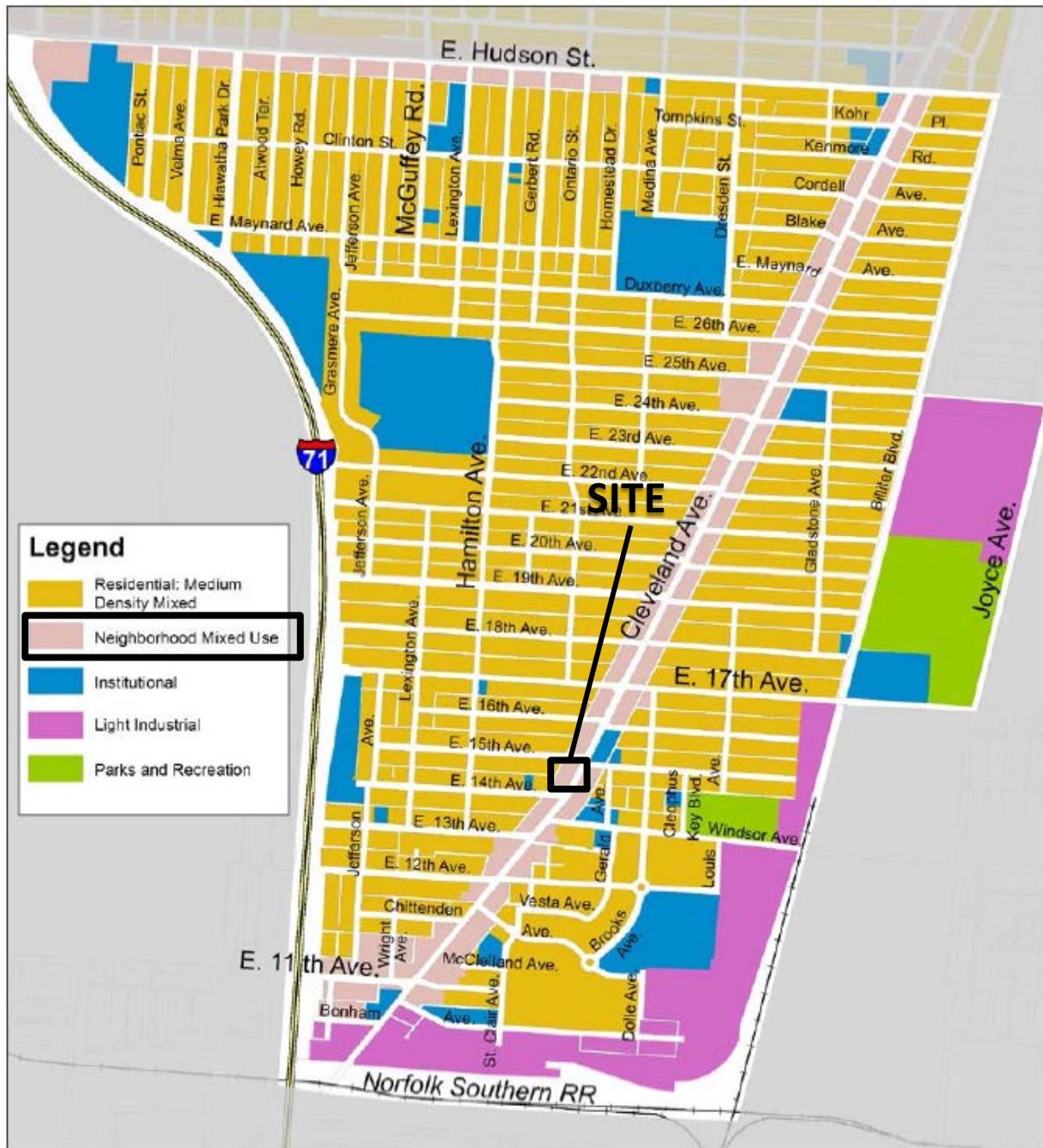







Figure 8: Future Land Use Plan Map

CV15-032
 1597 Cleveland Avenue
 Approximately 0.24 acres
 South Linden Neighborhood Plan Amendment (2012)

Table 3: Land Use Classifications

Sub-Category	Typical Density/Intensity	Map Color	Description and Guidelines
Medium Density Mixed Residential	6-10 dwelling units per acre		This classification of residential development is common in older neighborhoods and can include single-family, doubles, and townhouses. New development should reinforce the existing pattern and type of residential in the neighborhood. Somewhat higher densities and multi-story buildings with more than four units per building may be considered for areas that are immediately adjacent to a neighborhood's primary corridor(s). Proposals for multifamily development in these areas must demonstrate that they will not adversely impact the existing development pattern of the area.
Neighborhood Mixed Use	20,000 square feet per acre; 16-28 dwelling units/acre		The function of this classification is to provide neighborhood commercial services and residential opportunities. These areas contain multiple functions and act as local centers of economic activity. Examples include smaller scale retail, office, or institutional uses, including gas stations with convenience stores that are built to Urban Commercial Overlay design standards and located at key intersections and nodes along minor arterials and collectors that intersect with arterials. This classification includes residential units located either above and/or next to the commercial, office, or institutional uses. Residential densities should fall within the range of 16 to 28 dwelling units per acre.
Institutional	NA		Institutional uses include schools, government property, and houses of worship. These uses should be located on major arterials, in nodes of commercial activity, and within neighborhoods but only along arterials or collectors provided sites are sufficiently large to accommodate on-site parking.
Light Industrial	12,500 square feet per acre		Light Industrial uses should be located in older industrial areas, within industrial parks, and in limited locations on major arterials but not within close proximity of residential uses. Typical uses include light assembly, fabrication, and related uses.
Parks and Recreation	NA		Parks should be integrated into residential neighborhoods and/or located adjacent to preserve open space. Parks are either publicly or privately owned recreational facilities.



CV15-032
1597 Cleveland Avenue
Approximately 0.24 acres